

65-17-05

Page 1 of 2
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/670,874	09/25/2003	Robert Keith Longino	LONGINOSKATE

CONFIRMATION NO. 5777

35000
DAVID J. BREMER
4518 N. DAMEN AVENUE
CHICAGO, IL 60525

FORMALITIES LETTER



OC000000014929557

Date Mailed: 01/11/2005

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **27a,27b,27c,28-30** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes . Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Gleider N.
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Keith Longino
Serial No: 10/670,874
Filed: 09/25/2003
For: Independent Suspension System...

Examiner:
Art Unit:

Petition in Response to Notice of Omitted Items

Commissioner For Patents
Alexandria, VA 22313-1450

Enclosures: 1) Copy of Original Petition dated 02/19/2005;
enclosure (1) contains:
a) Sheet 12/16 containing Fig. 27a, 27b, 27c, 28-30
b) Copy of Return Receipt Postcard
c) Copy of Utility Patent Application Transmittal
d) Copy of Notice of Omitted Items
2) Copy of response letter from Office of Petitions, dated 03/24/2005
3) Check for balance owed for petition fee, \$270.00

Dear Sir or Ms.,

Please find the enclosed Applicants petition and accompanying documents pertaining to the Notice of Omitted Items mailed on 01/11/2005.

The original petition (enclosed) was submitted under 37 CFR 1.17(h) in error. The current petition is submitted under 37 CFR 1.17(f) and the additional payment represents the difference in fees owed.

Please accept this petition as a resubmittal of the original petition for consideration on it's merits.

Adjustment date: 05/18/2005 WASFAW1
02/28/2005 EHAILE1 00000027 10670874
01 FC:1464 -130.00 OP

05/18/2005 WASFAW1 00000049 10670874
01 FC:1462 400.00 OP

If the Initial Patent Examination Division has any questions, please feel free to contact me at your convenience.

Sincerely,



David J. Bremer, Reg. No. 51,497
4518 N. Damen Ave.
Chicago, IL 60625-1620
T: 773-271-6600
F: 773-271-6601

Submitted: 05/13/2005



UTILITY PATENT APPLICATION

APPLICANT: ROBERT KEITH LONGINO

TITLE: INDEPENDENT SUSPENSION SYSTEM FOR
INLINE SKATES ~~HAVING~~ HAVING ROCKER ARMS
AND ADJUSTABLE SPRINGS

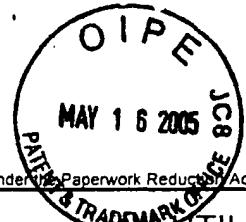
CONTENTS:

1. APPLICATION TRANSMITTAL FORM (PTO/SB/105)
2. FEE TRANSMITTAL FORM (~~105~~) (PTO/SB/77)
3. APPLICATION DATA SHEET (2 PAGE) 22264 U.S. PTO 10/670874
4. SPECIFICATION (22 PAGES)
5. DRAWINGS (16 SHEETS) 09/25/03
6. COPY OF PRIORITY DOCUMENT DECLARATION
7. COPY OF PARENT APPLICATION
8. POWER OF ATTORNEY
9. RETURN POSTCARD
10. CHECK FOR FILING
FEE \$375.00



MARY CASSATT USA 37

SABRE TECHNICAL SERVICES CORP.
4518 N. DAMEN AVE.
CHICAGO, IL 60625-1620



PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. LONGINOSKATE

First Inventor ROBERT KEITH LONGINO

Title INDEPENDENT SUSPENSION SYSTEM FOR
IN-LINE SKATES HAVING ROLLER ARMS
& ADJUSTABLE SPRINGS

Express Mail Label No.

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 22]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed Sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 16]
- Oath or Declaration [Total Sheets 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: COPY OF PARENT APPLICATION.....#10/214,270

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 10/214,270

Prior application information:

Examiner TO. TOAN C

Art Unit: 3616

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS
 Customer Number: 3500 OR Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	David J. Bremer	Registration No (Attorney/Agent)	51,497
Signature			
Date	09/24/2003		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2



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www.uspto.gov

DAVID J. BREMER
4518 N. DAMEN AVENUE
CHICAGO, IL 60525

COPY MAILED

MAR 24 2005

OFFICE OF PETITIONS

In re Application of :
Robert Keith Longino :
Application No. 10/670,874 :
Filed: September 25, 2003 :
Attorney Docket No. LONGINOSKATE :

ON PETITION

This is a decision on the papers styled, "Petition in Response to Notice of Omitted Items," filed February 25, 2005, which has been treated as a petition under 37 CFR 1.53 requesting that the above-identified application be accorded a filing date of September 25, 2003, including Figures 27a, 27b, 27c, 28-30 described in the specification.

The application was submitted on September 25, 2003. However, on January 11, 2005, the Office of Initial Patent Examination (OIPF) mailed a "Notice of Omitted Items in a Nonprovisional Application," (Notice) that stated the application had been accorded a filing date, and that Figures 27a, 27b, 27c, 28-30 described in the specification, appear to have been omitted.

In response, on February 25, 2005, the instant petition and a copy of Figures 27a, 27b, 27c, 28-30 were submitted.

Petitioner has submitted \$130.00 for the petition fee. However, as of December 8, 2004, the required fee has increased to \$400.00. An additional \$270.00 is required before the petition will be reviewed on the merits.

Accordingly, the petition is dismissed.

Any request for reconsideration should be filed within TWO MONTHS of the date of this decision in order to be considered timely. This time period may not be extended pursuant to 37 CFR 1.136.

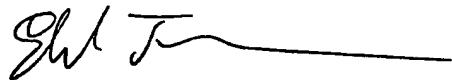
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
Box 1450
Alexandria, VA 22313

By FAX: (703) 872-9306
Attn: Office of Petitions

By hand Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries should be directed to the undersigned at (571) 272-3228.



Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office